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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,790	06/23/2003	Peter Mecrwald	450117-04637	. 1686
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER	
			PHAM, THIERRY L	
			· ART UNIT	PAPER NUMBER
•			2625	
SHORTENED STATUTOR	Y PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE	
31 DAYS		04/20/2007	ELECTRONIC	

## Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 31 DAYS from 04/20/2007.

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patentdocket@oblon.com oblonpat@oblon.com jgardner@oblon.com

	Application No.	Applicant(s)				
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Office Action Summary	10/602,790	MEERWALD ET AL.				
Office Action Summary	Examiner	Art Unit				
TI MANUNO DATE (III)	Thierry L. Pham	2625				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the C	correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA  - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory period w  - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION  16(a). In no event, however, may a reply be tiruly apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. mely filed the mailing date of this communication. ED (35 U.S.C. § 133).				
Status						
1)⊠ Responsive to communication(s) filed on 23 M	arch 2003.	•				
	action is non-final.	•				
3) Since this application is in condition for allowar		osecution as to the merits is				
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 4	53 O.G. 213.				
Disposition of Claims	·					
4)⊠ Claim(s) <u>1-26</u> is/are pending in the application.	·					
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6)						
7) Claim(s) is/are objected to.						
8) Claim(s) 1-26 are subject to restriction and/or e	election requirement.					
Application Papers						
9) The specification is objected to by the Examiner.						
10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.						
Priority under 35 U.S.C. § 119						
<ul> <li>12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* See the attached detailed Office action for a list of the certified copies not received.</li> </ul>						
Attachment(s)						
1) Notice of References Cited (PTO-892)	4) Interview Summary					
<ul> <li>2) Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3) Information Disclosure Statement(s) (PTO/SB/08)</li> <li>Paper No(s)/Mail Date</li> </ul>	Paper No(s)/Mail D 5)  Notice of Informal I 6)  Other:					

## **DETAILED ACTION**

• This action is responsive to the following communication: Nonprovisional application filed on 6/23/03.

• Claims 1-26 are pending.

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-11, 25-26, drawn to a method of printing data onto a disk label, classified in class 358, subclass 1.1.
- II. Claims 12-18, drawn to a client apparatus (e.g. personal computer) with web browser, classified in class 717, subclass 106.
- III. Claims 19-22, drawn to a print server, classified in class 709, subclass 201.
- IV. Claims 23-24, drawn to a printing system, classified in class 358, subclass 1.15.

Inventions I-IV are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because each subcombination has separate utility such as group I (claims 1-11, 25-26) is drawn to a method of printing, wherein group II (claims 12-18) is drawing to a client apparatus, group III (claims 19-22) is drawn to a print server, and wherein group IV (claims 23-24) is drawn to a printing system.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

The examiner has required restriction between combination and subcombination inventions. Where applicant elects a subcombination, and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable

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§ 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thierry L. Pham

GABRIEL I. GAHUM PRIMARY EXAMINER

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